

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PACIFIC INFORMATION RESOURCES,
INC.,

Plaintiff,

v.

SIMPLE COMMUNICATIONS, et al.,

Defendants

No. C-07-4131 MMC

**ORDER RE: DEFERRED PORTION OF
PLAINTIFF'S APPLICATION FOR
DEFAULT JUDGMENT; AWARDING
PLAINTIFF STATUTORY DAMAGES IN
TOTAL AMOUNT OF \$250,000**

By order filed November 26, 2008, the Court granted plaintiff Pacific Information Resources, Inc.'s application for default judgment to the extent plaintiff sought a permanent injunction against defendants Simple Communications and William Travis Sullivan, and deferred ruling on the application to the extent plaintiff sought an award of monetary damages. Specifically, the Court afforded plaintiff the opportunity to supplement its application to address deficiencies with respect to plaintiff's showing as to its entitlement to an award of damages based on the profits realized by a third party or, alternatively, to elect to receive an award of statutory damages in the total amount of \$250,000.


Now before the Court is plaintiff's "Statement of Election of Statutory Damages for Default Judgment," filed December 2, 2008, by which plaintiff has elected to receive an award of statutory damages in the total amount of \$250,000.

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1 Accordingly, for the reasons stated in the Court's November 26, 2008 order, the
2 Court finds plaintiff is entitled to an award of statutory damages in the total amount of
3 \$250,000, calculated as follows: (1) \$100,000, pursuant to 15 U.S.C. § 1117(d); and
4 (2) \$150,000, pursuant to 17 U.S.C. § 504(c).

5 **IT IS SO ORDERED.**

6
7 Dated: December 3, 2008


MAXINE M. CHESNEY
United States District Judge